

REMARKS / ARGUMENTS

The present Amendment is in response to the Office Action mailed April 28, 2008. Claims 1, 3-4, 6, 8, 11, and 14-19 are amended. Claims 1-20 remain pending. Applicant notes that the following remarks are not intended to be an exhaustive enumeration of the distinctions between any cited references and the claims. Rather, the distinctions identified and discussed below are presented solely by way of example to illustrate some of the differences between the claims and the cited references. Applicant also notes that the remarks presented herein have been made merely to clarify the claims from elements purported by the Examiner to be taught by the cited reference. Such remarks, or a lack of remarks, are not intended to constitute, and should not be construed as, an acquiescence, on the part of the Applicant: as to the purported teachings or prior art status of the cited references; as to the characterization of the cited references advanced by the Examiner; or as to any other assertions, allegations or characterizations made by the Examiner at any time in this case. Applicant reserves the right to challenge the purported teaching and prior art status of the cited references at any appropriate time. Reconsideration of the application is respectfully requested in view of the above amendments to the claims and the following remarks.

Examiner Interview

Applicants express their appreciation to the Examiner for conducting a telephone interview with Applicants on May 29, 2008. This response includes the substance of the interview.

Rejection Under 35 U.S.C. § 102

The Office Action rejected claims 1-7, and 12-13 under 35 U.S.C. § 102(e) over U.S. Patent No. 6,621,603 (*Han*). Applicant respectfully notes that a claim is anticipated under 35 U.S.C. § 102 only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. Further, the identical invention must be shown in as complete detail as is contained in the claim.

Finally, the elements must be arranged as required by the claim. MPEP § 2131. The following discussion illustrates that the pending claims are patentable.

Han generally teaches a multi-resolution transmissive and reflective scanner. As discussed during the interview, however, *Han* provides an optical multi-resolution scanning apparatus for retrieving digital images representative of opaque or transparent objects including a reflective scanning platform and a transmissive scanning platform. See col. 2, lls. 35-41 (*emphasis added*). The reflective scanning platform is capable of holding an opaque object for reflective scanning while the transmissive scanning platform is capable of holding a transparent object for transmissive scanning. See *Id.* Figure 1, for example, illustrates a scanner with two (2) platforms: the platform 138 and the platform 132.

As discussed during the interview, *Han* teaches that reflective scanning is performed with the reflective platform and that transmissive scanning is performed separately with the transmissive platform. *Han* discloses that during transmissive scanning, "an object is placed on movable platform 138 which is received by the docking port 136" (see col. 6, lls. 22-23) while the platen 134 of the platform 132 is used in a reflective mode (see col. 4, lls. 10-12, 66-67). This illustrates that more than one platform is needed to perform both transmissive and reflective scanning.

Claim 1, as discussed at the interview, recites "a scanning platform" that is used for both a reflective scanning mode and a transmissive mode. More specifically, claim 1 recites a carriage module arranged under said scanning platform. The carriage module includes a light source. Light emitted by the light source is reflected by said object toward said carriage module in a reflective scanning mode. Claim 1 also recites a light-guiding member arranged over said scanning platform for guiding the light emitted by said light source to said object . . . in a transmissive scanning mode.

Claim 1 recites a scanning platform that is used in both a reflective scanning mode and in a transmissive scanning mode. *Han*, in contrast, discloses that two scanning platforms are used to perform reflective scanning and transmissive scanning. As discussed at the interview and memorialized in the interview summary, separate platforms (see Figure 1 of *Han*) for reflective and transmissive scanning as taught by

Han fail to teach or suggest "a scanning platform" recited in claim 1 for both a reflective scanning mode and a transmissive mode.

In addition, claim 1 recites that the carriage module including a light source is arranged under said scanning platform in both the reflective scanning mode and the transmissive mode. *Han* fails to teach or suggest these aspects of claim 1, among others. More specifically, the light sources taught by *Han* are over the transmissive platform (see Figure 8). Thus, the "transmissive scanning platform" taught by *Han* does not teach or suggest that the carriage module including the light source is arranged under said scanning platform. At the same time, the light source of *Han*, which is under the reflective scanning platform taught by *Han*, does not teach or suggest a light guiding member arranged over said platform.

For at least these reasons and as discussed at the interview, Applicant respectfully submits that claim 1 is patentable over the cited art. Because claim 1 is patentable, the dependent claims 2-7 and 12-13 are patentable for at least the same reasons.

Allowable Subject Matter

The Office Action notes that 14-20 are allowable and that claims 8-11 would be allowable if rewritten in independent form. Applicant thanks the Examiner for the careful review of those claims.

Applicant submits the following comments concerning the Examiner's statement of reasons for the indication of allowable subject matter in the Office Action. Applicant agrees with the Examiner that claims 8-11 and 14-20 are patentable over the prior art. However, Applicant submits that it is the claim as a whole that makes each of the claims allowable. No single element should be construed as the reason for allowance of a claim because it is each of the elements of the claim that makes it allowable. Therefore, Applicant does not concede that the reasons for allowable subject matter given by the Examiner are the only reasons that make, or would make, the claims allowable and do not make any admission or concession concerning the Examiner's statement in the Office Action.

Conclusion

In view of the foregoing, and consistent with the tentative agreement reached during the Examiner Interview, Applicants believe the claims as amended are in allowable form. In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, or which may be overcome by an Examiner's Amendment, the Examiner is requested to contact the undersigned attorney.

Dated this 28th day of July, 2008.

Respectfully submitted,

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